

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ZEBRA STRATEGIES, INC.,

Plaintiff,

v.

ADA GONZALEZ-NAZARIO, et al.,

Defendants.

24-CV-4146 (DEH)

**ORDER**

DALE E. HO, United States District Judge:

Plaintiff initiated this action on May 30, 2024, alleging in substance the theft and misuse of its propriety information in violation of federal protections for trade secrets. *See* ECF No. 1. Plaintiff sued five named Defendants, though it voluntarily dismissed its claims against Defendant BR Interviewing on July 10, 2024. *See* ECF No. 43. That dismissal will be so-ordered separately. Three of the remaining named Defendants have appeared through counsel and Defendant Ada Gonzalez-Nazario proceeds *pro se*. *See* ECF Nos. 25, 32, 35, 36, 45.

On June 24, 2024, Defendant Accurate Market Research (“AMR”) filed a motion to dismiss. *See* ECF No. 40. Under Local Civil Rule 6.1(b), Plaintiff’s opposition was due July 8, 2024. No such opposition was filed. On July 10, 2024, AMR filed a letter seeking treatment of its motion as unopposed and expedited adjudication. *See* ECF No. 44. In response, Plaintiff filed a letter seeking leave to amend its Complaint under Federal Rule of Civil Procedure 15, in lieu of filing an opposition to the motion to dismiss. *See* ECF No. 46.

The day it filed the Complaint, Plaintiff moved for preliminary injunctive relief, seeking an order “restraining the defendants from further dissemination or use of any of the stolen . . . data.” *See* Mot. for Prelim. Inj. Relief 7, ECF No. 2. Defendants’ oppositions to the motion are due July 12, 2024. *See* ECF No. 34.

It is hereby **ORDERED** that AMR's motion to treat its motion to dismiss as unopposed is **DENIED**, in light of Plaintiff's representation that it intends to amend to address the deficiencies identified in the motion to dismiss. It is further **ORDERED** that Plaintiff shall file any Amended Complaint by **July 15, 2024**.

It is further **ORDERED** that the briefing schedule for Plaintiff's motion for a preliminary injunction is **ADJOURNED**, sine die. Plaintiff's motion incorporates the factual allegations of the complaint. *See* Mot. for Prelim. Inj. Relief 2 ("The factual background from which this Motion is necessitated can be found in the Verified Complaint paragraphs 14-45."). In light of Plaintiff's anticipated amendment, Plaintiff shall file a letter by **July 15, 2024**, stating whether it relies on its previously-filed motion papers with respect to the motion for a preliminary injunction. If Plaintiff does so, the Court will set deadlines for responsive briefing. Alternatively, the letter may state that Plaintiff withdraws the motion for a preliminary injunction in light of its changed factual allegations. If Plaintiff does so, it may renew its motion, relying on the allegations of the Amended Complaint, at its convenience.

The Clerk of Court is respectfully directed to close the motions at ECF Nos. 43, 44, and 46.

SO ORDERED.

Dated: July 11, 2024  
New York, New York



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DALE E. HO  
United States District Judge